

STATEMENT OF BASIS

as required by LAC 33:IX.3109, for draft **Louisiana Pollutant Discharge Elimination System Permit No. LA0048445; AI 41055; PER20070001** to discharge to waters of the State of Louisiana as per LAC 33:IX.2311.

The permitting authority for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

- I. **THE APPLICANT IS:** Town of Clinton
 Clinton Wastewater Treatment Facility
 P.O. Box 513
 Clinton, LA 70722
- II. **PREPARED BY:** Angela Marse
- DATE PREPARED:** April 10, 2007
- III. **PERMIT ACTION:** LPDES permit LA0048445, AI 41055; PER20070001
- LPDES application received: January 12, 2007
- LPDES permit issued: May 1, 2002
- LPDES permit expired: April 30, 2007

IV. **FACILITY INFORMATION:**

- A. The application is for the discharge of treated sanitary wastewater from a publicly owned treatment works serving the Town of Clinton.
- B. The permit application does not indicate the receipt of industrial wastewater.
- C. The facility is located on Roosevelt Street in Clinton, East Feliciana Parish.
- D. The treatment facility consists of an oxidation pond and lemna system. Disinfection is by chlorination.
- E. Outfall 001
- Discharge Location: Latitude 30° 51' 19" North
 Longitude 91° 1' 51" West
- Description: treated sanitary wastewater
- Design Capacity: 0.281 MGD
- Type of Flow Measurement which the facility is currently using: Totalizing Meter

V. RECEIVING WATERS:

The discharge is into parish drainage, thence into Pretty Creek, thence into the Comite River in segment 040101 of the Lake Ponchartrain Basin. This segment is listed on the 303(d) list of impaired waterbodies.

The designated uses and degree of support for Segment 040101 of the Lake Ponchartrain Basin are as indicated in the table below^{1/}:

Overall Degree of Support for Segment	Degree of Support of Each Use						
	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
Partial	Not Supported	Full	Full	N/A	N/A	N/A	N/A

^{1/}The designated uses and degree of support for Segment 040101 of the Lake Ponchartrain Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2004 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

Section 303 (d) of the Clean Water Act as amended by the Water Quality Act of 1987, and EPA's regulations at 40 CFR 130 require that each state identify those waters within its boundaries not meeting water quality standards. The Clean Water Act further requires states to implement plans to address impairments. LDEQ is developing Total Maximum Daily Loadings Studies (TMDLs) to address impaired waterbodies. Segment 040101 of the Lake Pontchartrain Basin is on the 2004 Integrated 303(d) List of Impaired Waterbodies. The suspected cause of impairment is pathogen indicators. To date no TMDLs have been completed for this waterbody.

Monitoring for fecal coliform is the best indicator for the potential presence of pathogenic organisms in wastewater. Because pathogen indicators have been identified as a suspected cause of impairment, fecal coliform limits have been established in the permit.

VI. ENDANGERED SPECIES:

The receiving waterbody, Subsegment 040101 of the Lake Ponchartrain Basin, is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated September 29, 2006 from Watson (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered species or candidate species or their critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

VII. HISTORIC SITES:

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the 'Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits' no consultation with the Louisiana State Historic Preservation Officer is required.

VIII. PUBLIC NOTICE:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit modification and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

For additional information, contact:

Mrs. Angela Marse
Permits Division
Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

IX. PROPOSED PERMIT LIMITS:

Final Effluent Limits:

OUTFALL 001

To date, no TMDLs have been developed for the Lake Pontchartrain Basin. TMDL completion for the Lake Pontchartrain Basin is scheduled for 2012. Therefore, the effluent limitations will remain the same as the previous permit.

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg. (lbs./day)	Monthly Avg.	Weekly Avg.	Basis
BOD ₅	23	10 mg/l	15 mg/l	Limits are set in accordance with the Statewide Sanitary Effluent Limitations Policy (SSELP) for facilities of the treatment type and size.
TSS	35	15 mg/l	23 mg/l	Since there is no numeric water quality criterion for TSS, and in accordance with the current Water Quality Management Plan, the TSS effluent limitations shall be based on a case-by-case evaluation of the treatment technology being utilized at a facility. Therefore, a Technology Based Limit has been established through Best Professional Judgement for the type of treatment technology utilized at this facility.

Other Effluent Limitations:

1) Fecal Coliform

The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5.b.i, the fecal coliform standards for this water body are 200/100 ml and 400/100 ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Weekly Average) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgement in order to ensure that the water body standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

2) pH

According to LAC 33:IX.3705.A.1., POTW's must treat to at least secondary levels. Therefore, in accordance with LAC 33:IX.5905.C., the pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time.

3) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

X. PREVIOUS PERMITS:

LPDES Permit No. LA0048445: Issued: May 1, 2002
Expired: April 30, 2007

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Daily Avg.</u>	<u>Daily Max.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	Report	Report	Continuous	Recorder
BOD ₅	10 mg/l	15 mg/l	2/month	Grab
TSS	15 mg/l	23 mg/l	2/month	Grab
Fecal Coliform Colonies	200	400	2/month	Grab

The permit contains pollution prevention language.
The permit contains pretreatment language.

XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:

A) Inspections

A review of the files indicates the following as the most recent inspection performed for this facility.

Date – December 3, 2004
Inspector - LDEQ
Findings and/or Violations -

1. DMRs for 2004 revealed 2 exceedances
2. The system seemed to be operating properly at the time of inspection.
3. The receiving stream looked good. No odor, no sheen, no solids observed.

B) Compliance and/or Administrative Orders

A review of the files indicates the following most recent enforcement actions administered against this facility:

LDEQ Issuance:

Docket # - WE-CN-05-0512
Date Issued – July 27, 2006
Findings of Fact:

1. Respondent was issued several previous compliance orders. WE-CN-01-0163 included a compliance schedule to upgrade the facility. WE-CN-02-0235 sited the facility for failure to monitor flow and effluent violations. These Orders were consolidated in WE-CN-05-0512.
2. A file review on or about 6/6/06 revealed numerous TSS and fecal coliform excursions. They are detailed in the compliance order.
3. Also found during the file review, the permittee submitted inaccurate DMRs from 10/03 to 3/06. (The permittee put the wrong TSS monthly average permit limit on the DMR forms.)

Order:

1. To take action to comply with LA0048445.
2. To submit properly completed DMRs within 30 days.

3. To submit a report detailing circumstances surrounding violations and actions taken to achieve compliance.

4. Notification that potential penalty was being considered by the Department.

C) DMR Review

A review of the discharge monitoring reports for the period beginning January, 2005 through December, 2006 has revealed the following violations:

<u>Effluent Characteristic</u>	<u>Number of Violations</u>
TSS	28
Fecal Coliform	1
pH	1

XII.

ADDITIONAL INFORMATION:

PERMIT REOPENER CLAUSE

In accordance with LAC 33:IX.2361.C.3, this permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(c) and (D); 304(b)(2); and 307(a)(2) of the Clean Water Act, if the effluent standard or limitations so issued or approved:

- a) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
- b) Controls any pollutant not limited in the permit; or
- c) Requires reassessment due to change in 303(d) status of waterbody; or
- d) Incorporates the results of any total maximum daily load allocation, which may be approved for the receiving water body. The Department will be conducting TMDL studies in the Lake Pontchartrain Basin. Completion of the studies is scheduled for 2012. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions as a result of the TMDL. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

Final effluent loadings (i.e. lbs/day) have been established based upon the permit limit concentrations and the design capacity of 0.281 MGD.

Effluent loadings are calculated using the following example:

$$\text{BOD: } 8.34 \text{ lb/gal} \times 0.281 \text{ MGD} \times 10 \text{ mg/l} = 23 \text{ lb/day}$$

At present, the Monitoring Requirements, Sample Types, and Frequency of Sampling as shown in the permit are standard for facilities of flows between 0.1 and 0.5 MGD.

Pretreatment Requirements

Based upon consultation with LDEQ pretreatment personnel, standard pretreatment language has been included in the permit.

XIII TENTATIVE DETERMINATION:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in this Statement of Basis.

XIV REFERENCES:

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 8, "Wasteload Allocations / Total Maximum Daily Loads and Effluent Limitations Policy," Louisiana Department of Environmental Quality, 2005.

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 5, "Water Quality Inventory Section 305(b) Report," Louisiana Department of Environmental Quality, 1998.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards," Louisiana Department of Environmental Quality, 2004.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Subpart 2 - "The LPDES Program," Louisiana Department of Environmental Quality, 2004.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, Town of Clinton, Clinton Wastewater Treatment Facility, January 12, 2007.